



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Singh et al.

Serial No. 09/652,485

Art Unit: 1742

Filed: 8/31/00

Examiner: G. Wyszomierski

For: Heterogenite Material for Making Submicron Cobalt Metal Powders

May 29, 2003

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sirs:

CERTIFICATE OF MAILING UNDER 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
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May 29, 2003
Robert F. Clark
Robert F. Clark Reg. No. 33,853

RESPONSE

In response to the Office Action dated 3/3/03 with respect to the above-identified application, the Applicants hereby request further examination and reconsideration of the instant application in view of the following response.

REMARKS

The rejection of claims 1 and 2 under 35 U.S.C. §103(a) as obvious over Yamada et al. in view of Ohta et al. or Nakamura et al. is respectfully traversed.

The Examiner states that the prior art forms a heterogenite material by heating to a temperature as indicated on page 3 of the present specification. To support this contention, the Examiner refers to column 3, line 59 and Example 1 of Yamada. However, as the Applicants have pointed out previously, Yamada et al. does not teach or suggest heating a cobalt hydroxide precipitate to form a high surface area heterogenite material. More to the point, there is no disclosure at all in